

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JERRY MUHAMMAD,	)	CASE NO. 5: 16 CV 2286
	)	
Plaintiff,	)	JUDGE DONALD C. NUGENT
	)	
v.	)	<u>ORDER ADOPTING</u>
	)	<u>MAGISTRATE’S REPORT AND</u>
	)	<u>RECOMMENDATION</u>
COMMISSIONER OF SOCIAL	)	
SECURITY,	)	
	)	
Defendant.	)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge Jonathan D. Greenberg. The Report and Recommendation (ECF # 18), issued on July 7, 2017, is hereby ADOPTED by this Court. Plaintiff sought review of the Commissioner’s decision denying his application for Period of Disability, Disability Insurance Benefits, and Supplemental Security Income under Titles II and XVI of the Social Security Act, 42 U.S.C. §§ 416(i), 423, and 1381, *et seq.* . The Magistrate found that the ALJ failed to consider and address Plaintiff’s obesity at each step of the sequential evaluation, and that the case should be remanded for proper consideration of this factor on Plaintiff’s ability to work. The Defendant has notified the Court that no objections will be filed. (ECF #19).

The Court has reviewed *de novo* the Report and Recommendation, *see Ohio Citizen Action*

*v. City of Seven Hills*, 35 F. Supp. 2d 575, 577 (N.D. Ohio 1999), and ADOPTS the Report and Recommendation in its entirety, without objection. The Commissioner's decision is reversed and remanded for further proceedings in accordance with this opinion.

IT IS SO ORDERED.

/s/ Donald C. Nugent  
DONALD C. NUGENT  
United States District Judge

DATED: September 14, 2017